



# STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE  
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Michelle S. Cruz, Esq.  
State Victim Advocate

**Testimony of Michelle Cruz, Esq., State Victim Advocate**  
**Judiciary Committee**  
**Friday, February 26, 2010**

Good morning Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to submit testimony in **SUPPORT** of:

**Raised Senate Bill No. 221, *An Act Prohibiting the Disclosure of Employee Files to Inmates***

The Office of the Victim Advocate (OVA) has heard from many corrections officers of the Department of Correction (DOC) who have been assaulted by inmates while in the performance of their duties. Incidents range from serious physical assaults, such as the recently reported violent assaults, to inmates spitting on DOC staff, as well as other unacceptable behaviors. Some inmates face criminal charges while others face consequences internally. These are often the almost daily occurrences that are not reported widely. Unfortunately there are some inmates that look for retaliation against the DOC staff and attempt to use the Freedom of Information Act to obtain personal information about the staff. I think we can agree that providing personal information contained in the personnel files of DOC staff to disgruntled inmates is not a legitimate use of the FOIA; after all, the FOIA was created as a means for the public to gauge the inner workings of government. This abuse of FOIA can only be interpreted as a mechanism for inmates to continue to harass and intimidate correction officers.

Regardless of the disciplinary action taken, the DOC staff person is a crime victim. Crime victims have a constitutional right to be reasonably protected from the accused. Releasing sensitive information about a DOC staff not only jeopardizes the safety of the victim but additionally hampers the DOC staff to effectively supervise the inmate population.

Raised Senate Bill No. 221 will provide the necessary protection to DOC staff, and his or her family, from abuse of the FOIA, and at the same time, avoids further victimization to the crime victim. Unfortunately, at times, there are requests for information submitted by inmates to an agency, pursuant to the FOIA, that should not be available to the inmate, such as the information contained in "a personnel or medical file or similar file" of an employee of DOC or the Department of Mental Health and Addiction Services.

I urge the committee to support this important proposal. Thank you for considering my testimony.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michelle S. Cruz".

Michelle Cruz, Esq.  
State Victim Advocate